

AMENDED IN ASSEMBLY MARCH 8, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 221

Introduced by Assembly Member Bogh

February 3, 2005

An act to add Section 2933.7 to the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

AB 221, as amended, Bogh. Violent sexual felonies: early release credits.

Existing law, with specified exceptions, authorizes the Department of Corrections to reduce a prisoner's term of incarceration for credits received by the prisoner for good behavior or performance in work, training, or education programs, as specified.

This bill would provide that, notwithstanding any other provision of law, every person convicted of a sexually violent felony, as defined, shall be ineligible to earn any credit on his or her term of imprisonment.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2933.7 is added to the Penal Code, to
- 2 read:
- 3 2933.7. (a) It is the intent of the Legislature that persons
- 4 convicted of a sexually violent felony and sentenced to state
- 5 prison shall serve the entire sentence imposed by the court and
- 6 thus that these persons shall not be eligible for a reduction in the
- 7 time served in the custody of the Director of Corrections for their

1 performance in work, training, or education programs established
2 by the Director of Corrections.

3 (b) Notwithstanding any other provision of law, every person
4 convicted of a sexually violent felony shall be ineligible to earn
5 credit on his or her term of imprisonment pursuant to this
6 chapter.

7 (c) For the purposes of this section, “sexually violent felony”
8 means a felony violation of any of the following provisions,
9 when committed by force, violence, duress, menace, or fear of
10 immediate and unlawful bodily injury on the victim or another
11 person, and committed on or after the effective date of this
12 section:

13 (1) Paragraph (2) of subdivision (a) of Section 261.

14 (2) Paragraph (1) of subdivision (a) of Section 262.

15 (3) Section 264.1.

16 ~~(5)–~~

17 (4) Section 269.

18 ~~(6)–~~

19 (5) Paragraph (2) or (3) of subdivision (c) or subdivision (d) of
20 Section 286.

21 ~~(7)–~~

22 (6) Subdivision (b) of Section 288.

23 ~~(8)–~~

24 (7) Paragraph (2) or (3) of subdivision (c) or subdivision (d) of
25 Section 288a.

26 ~~(9)–~~

27 (8) Subdivision (a) of Section 289.